



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: September 1, 2011
Applicant: Iglesia Familiar, Inc.
Case No.: PCC-11-026
Address: 3441 Main Street
Project Planner: Michael W. Walker

Notice is hereby given that on September 1, 2011 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-11-026, filed by Iglesia Familiar, Inc ("Applicant"). The Applicant requests to establish a church in a vacant tenant space (Suite 106) at a light industrial multi-tenant building ("Project"). The Project site is located at 3441 Main Street ("Project Site") owned by DCK Enterprises, LLC ("Property Owner"). The Project Site is zoned Limited Industrial, Precise Plan (ILP) by the Chula Vista Municipal Code (CVMC), and designated Limited Industrial (IL) by the General Plan. The Project is more specifically described as follows:

The Project is a request for a conditional use permit from Iglesia Familiar, Inc to locate a church in a vacant 3,983 sq ft. suite in a multi-tenant light industrial building. The church will use the suite to hold worship services, church related activities including prayer, classes for music, leadership and discipleship and provide administrative offices for pastoral staff according to the following schedule:

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
6:00 a.m.	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)
9:00 a.m. - 5:00 p.m.	Worship Services (10:30 a.m. and 6:30 p.m.)	Office Hours	Office Hours	Office Hours	Office Hours	Office Hours	Special events
7:00-9:00 p.m.	Special Conferences (adults)	Leadership Classes (adults)	Music Classes (adults, young adults)	Midweek Services (all ages)	Discipleship Classes (adults)	Band Practice (adults, young adults)	Maintenance Team (adults)

The church has a seating capacity for up to 30 people, which requires nine parking spaces per CVMC Section 19.62.050(9). Also occupying the building are several light industrial and commercial uses. There are 57 on-site parking spaces around the building, which is sufficient to accommodate the church and other uses. The church use hours are such that there will not be a conflict with the existing uses conducting business on the property because the parking demand for the church will be on Sundays and at night when most or

all other businesses are not operating. On Saturdays, the church will have special events including men's training sessions, women's social gatherings and such activities at the church and will be involved in community events out in the community

The Project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (existing facilities) in accordance with the State CEQA Guidelines. No further environmental review is necessary.

The Zoning Administrator, under the provisions of Sections 19.14.030 A of the CVMC, has been able to make the findings for approval of this conditional use permit as required by CVMC Section 19.14.080:

1. **That the proposed use at this location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community.**

The Iglesia Familiar Church will provide a convenient place of choice for worship and associated church activities, for citizens residing in Chula Vista particularly living in the southwest area of Chula Vista. The church will occupy 3,983 sq.ft. of floor area in an existing multi-tenant light industrial building. The use will be conducted at a convenient and accessible location that contains the amenities necessary to support the use.

2. **That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The church will use the building to hold worship services for up to 30 people, related church activities and classes and provide administrative offices for pastoral staff based on the following schedule:

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
6:00 a.m.	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)	Prayer (adults)
9:00 a.m. - 5:00 p.m.	Worship Services (10:30 a.m. and 6:30 p.m.)	Office Hours	Office Hours	Office Hours	Office Hours	Office Hours	Special events
7:00-9:00 p.m.	Special Conferences (adults)	Leadership Classes (adults)	Music Classes (adults, young adults)	Midweek Services (all ages)	Discipleship Classes (adults)	Band Practice (adults, young adults)	Maintenance Team (adults)

Churches are considered Unclassified Uses, which are allowed in any zone with a conditional use permit. The church use hours are such that there will not be a conflict with the existing uses conducting business on the property because the parking demand for the church will be on Sundays and at night when most are all other businesses or not operating

The church is in the proximity of an existing power generation plant approximately 1,000 feet southeast of the proposed church and existing multi-tenant building. The City is preparing a Council policy that will prohibit the siting of sensitive receptors within 1,000 feet of existing power plants. The policy definition of sensitive receptors regard land uses include: residentially zoned communities, schools, child care centers, hospitals, nursing homes, elder care and residential care facilities providing daily long-term care. In this case, a church is not a sensitive receptor unless the church provides a daycare or school on the premises of which children or elderly would be at risk. The project will be conditioned to ensure a daycare or school use cannot be established on the subject property

3. **That the use will comply with the regulations and conditions specified in the code for such use.**

Per CVMC Section 19 62.050(9), churches require one space per 3.5 seats in the auditorium. The church requires nine parking spaces for up to 30 auditorium seats. The subject property has a total of 57 on-site parking spaces available. The approval of this conditional use permit is contingent on the Applicant's and Property Owner's commitment to satisfy all conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code. The Applicant has committed to implement and satisfy all conditions of approval for the proposed use, and will comply with all applicable City zoning regulations.

4. **That the granting of the Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.**

The church is a temporary use that provides a place of worship to community. The Zoning Ordinance identifies a church as an "Unclassified Use", which is allowed in any zone with a conditional use permit. The temporary use as a church, will not affect the goals and objectives of the General Plan.

Approval of PCC-11-026 is conditioned upon the following conditions in Sections I, II and III:

- I. **The following conditions of approval shall be satisfied prior to issuance of the building permit for the project:**

- A. The Property Owner and the Applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and Applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Property Owner/Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

Signature of Representative

Date

Signature of Authorized Property Owner

Date

Building Division Condition:

1. The Applicant shall comply with the 2010 California Building Code (CBC), California Residential Code (CRC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), California Fire Code (CFC), 2008 California Energy Code including the Energy Efficiency Ordinance, the Photovoltaic Pre-wiring Ordinance Section 15.24.065, and the Solar Water Heating Pre-plumbing Ordinance Section 15.28.015, 1997 Edition of the Uniform Housing Code, the 2010 Green Building Ordinance and all other locally adopted City and state requirements.

Land Development Division Condition:

2. The Applicant shall pay the applicable Traffic Signal, Sewer Connection and Public Facilities Development Impact fees. If total on-site improvements exceed Engineering Threshold of \$33,762.11 per CVMC Section 12.24.020, Applicant shall obtain a construction permit from the Land Development Division.

II. The following conditions shall be satisfied prior to occupancy:

Fire Conditions:

3. The Applicant shall ensure that the fire lane has a minimum 20-foot clearance at all times.
4. The Applicant shall provide a Knox Vault at the main entrance to the building.
5. The building shall be addressed in accordance with the following criteria:
 - 0 – 50ft from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 – 150ft from the building to the face of the curb = 10-inches in height with a 1 ½ - inch stroke
 - 151ft from the building to the face of the curb = 16-inches in height with a 2-inch stroke
6. The Applicant shall provide one (1) 2-A-10-B:C fire extinguisher for every 75 feet of travel in any direction.

III. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.

7. The Applicant shall maintain the Project in accordance with the approved plans for PCC-11-026 date stamped approved on September 1, 2011, which includes a site plan and elevations on file in the Planning Division, the conditions contained herein and Title 19

8. The Applicant shall not establish a daycare or school or any such use on the property that expose children or the elderly to potential risks because of the proximity to the peaker plant approximately 1,000 feet southeast of the subject property.
9. The Applicant shall ensure all parking for the church is on-site.
10. The Applicant shall conduct band and music activities indoors, and maintain compliance with Chapter 19.68 Performance Standards and Noise Control.
11. The Applicant shall adhere to the following schedule established by the Applicant:
 - 6:00 a.m. - Daily morning prayer
 - 9:00 a.m. -5:00 p.m. - Daily Offices hours
 - 9:00 a.m. - Sunday Worship
 - 7:00 p.m. - 9:00 p.m. - Daily classes, conferences, band practice
12. Approval of this Conditional Use Permit shall not waive compliance with all sections of Title 19 (Zoning) of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance
13. This Conditional Use Permit authorizes only the use specified in the application for PCC-11-026, which shall expire in five years on September 1, 2016 unless a request for extension is made to the Zoning Administrator. Any new use or modification/expansion of uses authorized under PCC-11-026 shall be subject to the review and approval of the Zoning Administrator.
14. The Applicant/Operator shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Conditional Use Permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant/Operator shall acknowledge their agreement to this provision by executing a copy of this conditional use permit where indicated, above. Applicant's/Operator's compliance with this provision is an express condition of this conditional use permit and this provision shall be binding on any and all of Applicant's/Operator's successors and assigns.
15. This Conditional Use Permit shall become void and ineffective if not utilized or extended within the time allotted in Section 19.14.260 of the Municipal Code.
16. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.

17. If any of the foregoing conditions fails to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this conditional use permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 1st day of September 2011.



Mary Ladijara
Zoning Administrator